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12 *Attorney for Petitioner Victor Torres-Mejia

13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 Victor Torres-Mejia,

16 Petitioner,

17 v.

18 Jerry Howell, *et al.*,

19 Respondents.

Case No. 2:18-cv-00681-RFB-VCF

**Unopposed motion for extension of
time to file amended petition for
writ of habeas corpus**

(First request)

1 Petitioner Victor Torres-Mejia moves this Court for the entry of an order
2 extending the time within which to file an amended petition for writ of habeas corpus
3 by 126 days from October 23, 2018 to and including February 26, 2019. Mr. Torres-
4 Mejia's AEDPA statute of limitations deadline is February 26, 2019. The state, by
5 Senior Deputy Attorney General Heather D. Procter does not object to this request,
6 though her non-objection does not constitute a waiver of any procedural defenses
7 respondents may wish to raise in response to the amended petition including, but not
8 limited to, timeliness, procedural default, and questions of exhaustion. Ms. Procter's
9 lack of objection also does not constitute an agreement from her that the AEDPA
10 statute of limitations expires on February 26, 2019.

11 This is Torres-Mejia's first request for an extension of time. This motion is not
12 filed for the purposes of delay but in the interests of justice, as well as in the interests
13 of Torres-Mejia.

14 As stated above, counsel has calculated Torres-Mejia's AEDPA statute of
15 limitations deadline to be February 26, 2019. After meeting with Torres-Mejia,
16 counsel requested and was assigned an investigator for his case. Counsel intends to
17 conduct investigation into Torres-Mejia's case in the hopes the investigation will yield
18 results that counsel will incorporate into the amended petition. The investigation, as
19 well as communication with Torres-Mejia, requires an interpreter, which slows the
20 process. For these reasons, counsel respectfully asks this Court to grant his request
21 to extend the time for filing an amended petition by 126 days until February 26, 2019.
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1 Dated October 22, 2018 .

2 Respectfully submitted,

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4 Rene L. Valladares
Federal Public Defender

5 /s/ Kimberly Sandberg
6 KIMBERLY SANDBERG
7 Assistant Federal Public Defender

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10 IT IS SO ORDERED:

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12 _____
13 RICHARD F. BOULWARE, II
14 United States District Court

15 Dated: October 23, 2018.
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Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: Heather D. Procter.

Victor Torres-Mejia
No. 1129538
Southern Desert Correctional Center
PO Box 208
Indian Springs, NV 89070

/s/ Jessica Pillsbury
An Employee of the
Federal Public Defender